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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/688,775	10/16/2000	Rick Rowe	IGTECH.0008P	1563
32856	7590	12/23/2003	EXAMINER	
WEIDE & MILLER, LTD. 7251 W. LAKE MEAD BLVD. SUITE 530 LAS VEGAS, NV 89128			ELISCA, PIERRE E	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/688,775

Applicant(s)  
Rick Rowe et al.

Examiner  
Pierre E. Elisca

Art Unit  
3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/17/2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24-32 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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**DETAILED ACTION**

**RESPONSE TO AMENDMENT**

1. This Office action is in response to Applicant's amendment, filed on 10/17/2003.
2. Claims 1-23 were previously canceled in the Amendment filed on 06/20/2003. Accordingly, claims 24-32 remain pending in this application.

***Claim Rejections - 35 USC § 102***

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 24-32 are rejected under 35 U.S.C. 102 (b) as being anticipated by Clapper, Jr. (U.S. Pat. No. 5,928,082).**

As per claims 24, 26-30 and 32, Clapper discloses an electronic and mechanical that utilize a voucher and game ticket combination used in the play of a sweepstakes promotional game. The voucher may represent any document, receipt, stamp (which is readable as Applicant's claimed invention wherein it is stated that a method of issuing a voucher with a remote voucher generation

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device associated with a gaming system including a gaming machine and a host), the method comprising the steps of:

creating a data record regarding said voucher (see., abstract, col 4, lines 40-50, voucher dispensing apparatus, specifically wherein it is stated that a bar code is present on the game ticket and as the voucher and game ticket is dispensed, and therefore, the bar code is readable as a value for later use in accepting said voucher when presented for use);

generating data regarding a voucher to be printed, said data including a value representative of a number of credits usable at a gaming machine (see., abstract, col 2, lines 12-17, col 4, lines 10-29, please note that number of credits being used is readable as the remaining time left or number minutes being used when purchasing a pre-payment telephone card or pre-paid voucher);

storing said data record at a host remote from said gaming machine (see., abstract, col 4, lines 40-60, col 15, lines 41-54);

issuing said voucher at a location remote from said gaming machine and said host (see., abstract, col 4, lines 40-50, dispenser which dispenses the voucher, and the bar code is readable as value for later use in accepting said voucher when presented for use, please note that the microprocessor of Fig 11 is interpreted as a host, and specifically col 3, lines 11-16 and lines 53-59);

accepting said voucher at said gaming machine (see., abstract, col 5, lines 8-67);

transmitting information from said gaming machine to said host regarding the identity of said voucher (see, abstract, please note that bar code of Clapper is used for identifying game tickets and voucher);

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comparing at said host said transmitted information and said data in said data record to verify said voucher (see., abstract, specifically wherein it is stated that a bar code is present on the game ticket and as the voucher and game ticket is dispenses, the bar code is read or compare by the apparatus and displays indicia, col 6, lines 1-13, fig 11);

if said voucher is verified, crediting the number of credits which the voucher represents for use at said gaming machine (see., abstract, col 2, lines 12-17, col 4, lines 10-29, please note that number of credits being used is readable as the remaining time left or number minutes being used when purchasing a pre-payment telephone card or pre-paid voucher);

accepting one or more of said credits as a wager for play of a game presented by said gaming machine (see., abstract, col 1, lines 47-63 col 5, lines 8-67, col 4, lines 18-29, please note that credits as a wager being used is readable as the remaining time left or number minutes when purchasing a pre-payment telephone card or pre-paid voucher);

debiting a number of credits from said credited number of credits based upon the number of credits used to place said wager (see., abstract, col 1, lines 47-63 col 5, lines 8-67, col 4, lines 18-29, please note that debiting a number of credits is readable as the remaining time left or number minutes being used when purchasing a pre-payment telephone card or pre-paid voucher); and

presenting a game upon placing of said wager (see., abstract, for example play of the sweepstakes promotional game).

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As per claim 25, Clapper discloses the claimed limitations including the step of awarding said voucher to a user independent of said user paying value to receive said voucher (see., abstract, col 4, lines 18-28).

As per claim 31, Clapper discloses the claimed limitations wherein said gaming machine is configured to reduce said number of credits based upon said wager (see., see., abstract, col 1, lines 47-63 col 5, lines 8-67, col 4, lines 18-29, please note that reduce number of credits is readable as the number of minutes or number of time left in the telephone card after been used by a user).

**REMARKS**

5. In response to Applicant's arguments, Applicant argues that the Clapper's reference fails to disclose:

a. "generating voucher data including a value representative of a number of credits usable at a gaming machine". As stated above, the Clapper's reference discloses this limitation in the abstract, col 2, lines 12-17, col 4, lines 10-29, please note that number of credits being used is readable as the remaining time left or number minutes being used when purchasing a pre-payment telephone card or pre-paid voucher.

b. "crediting the number of credits which the voucher represents for use at a gaming machine". However, the Examiner respectfully disagrees since the Clapper's reference discloses this limitation in the abstract, col 1, lines 47-63 col 5, lines 8-67, col 4, lines 18-29, please note that debiting a

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number of credits is readable as the remaining time left or number minutes being used when purchasing a pre-payment telephone card or pre-paid voucher.

c. "Accepting one or more of the credits as a wager for play of a game at a gaming machine". As noted above, the Clapper's reference discloses this limitation in the abstract, col 1, lines 47-63 col 5, lines 8-67, col 4, lines 18-29, please note that credits as a wager being used is readable as the remaining time left or number minutes when purchasing a pre-payment telephone card or pre-paid voucher.

In regard to claims 24 and 29, Applicant argues that the Clapper's reference fails to disclose: "a method of utilizing vouchers to play games, the vouchers having associated value in the form of usable credits". Based upon the foregoing rejection indicated above, it is believed that the Clapper's reference discloses this limitation in the abstract, specifically wherein said a method/apparatus utilizing a voucher and game ticket combination used in the play of a sweepstakes promotional game, and also col 4, lines 10-67, col 5, lines 1-67.

***Conclusion***

6. Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768.

**Any response to this action should be mailed to:**

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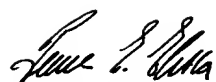
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Commissioner of patents and Trademarks

Washington, D.C. 20231

The Official Fax Number For TC-3600 is:

**(703) 305-7687**



Pierre Eddy Elisca

Patent Examiner

December 20, 2003